



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK NY 10112-3801

**COPY MAILED**

JUL 21 2006

## OFFICE OF PETITIONS

In re : DECISION REGARDING  
Dominic Yip : PATENT TERM ADJUSTMENT  
Application No. 09/805,877 :  
Filed: March 15, 2001 :  
Patent No. 6,922,491 :  
Issued: July 26, 2005 :

This decision is in response to the "COMMENTS ON DETERMINATION OF PATENT TERM ADJUSTMENT", filed August 29, 2005, requesting correction of the patent term adjustment (PTA) indicated on the patent.

The request is DISMISSED.

The Office determined a patent term adjustment of seven hundred forty (740) days based on an adjustment for PTO delay of seven hundred seventy-nine (779) days pursuant to 35 U.S.C. 154(b)(1)(A)(i) and 37 C.F.R. § 1.703(a)(1), reduced by applicant's delay of thirty-four (34) days and five (5) days pursuant to 35 U.S.C. 154(b)(1)(C)(ii) and 37 C.F.R. § 1.704(b).

A review of the application does not reveal any errors in the calculation of the patent term adjustment. Accordingly, the patent term adjustment of seven hundred forty (740) days appears to be correct. To the extent that patentees are aware of any specific error in the PTA calculation, patentees should so advise the Office.

Telephone inquiries specific to this letter should be directed to Cliff Congo, Petitions Attorney, at (571)272-3207.

*Kerry A Fries*  
Kerry Fries  
Senior Legal Advisor  
Office of Patent Legal Administration  
Office of Deputy Commissioner  
for Patent Examination Policy